

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

NATHAN FITZGERALD,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 3:22-cv-00168-SLG

**ORDER RE PLAINTIFF'S NON-OPPOSED MOTION TO ALLOW DR. DAVID  
SPERBECK TO TESTIFY AT TRIAL AS AN EXPERT CONSISTENT WITH HIS  
TIMELY CIVIL RULE 26(a)(2) DISCLOSURES AND DEPOSITION(S)**

Before the Court at Docket 59 is Plaintiff's Non-Opposed Motion to Allow Dr. David Sperbeck to Testify at Trial as an Expert Consistent with His Timely Civil Rule 26(a)(2) Disclosures and Deposition(s). This Court has found that Plaintiff has made a sufficient showing of "good cause" as well as "excusable neglect" pursuant to Fed. R. Civ. P. 6(b) and 16(b). The motion is hereby GRANTED. Based on the record and Defendant's non-opposition, Dr. Sperbeck may be called as an expert witness at trial.

DATED this 27th day of June 2024 at Anchorage, Alaska.

/s/ Sharon L. Gleason  
UNITED STATES DISTRICT JUDGE